

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 2:05-cr-122-T
	)	
MATTHEW LEO KELLEY	)	

**GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE**

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and Kent B. Brunson, Assistant United States Attorney for the Middle District of Alabama, and pursuant to United States Sentencing Guideline Section 5K1.1 moves for a one (1) level downward departure in the defendant's total offense level. This request is based upon the following:

- 1) The defendant has provided law enforcement officials with information concerning co-defendant Patricia Cantaline and agreed to testify at trial if necessary.

WHEREFORE, for the reasons set forth above and pursuant to U.S.S.G. § 5K1.1, the government is satisfied the defendant is entitled to a one (1) level reduction in his total offense level.

Respectfully submitted this the 19<sup>th</sup> day of January, 2006.

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

/s/ Kent B. Brunson  
KENT B. BRUNSON  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104  
Telephone: (334) 223-7280  
Fax: (334) 223-7135  
[kent.brunson@usdoj.gov](mailto:kent.brunson@usdoj.gov)

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CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Richard K. Keith.

Respectfully submitted,

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

/s/ Kent B. Brunson  
KENT B. BRUNSON  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104  
Telephone: (334) 223-7280  
Fax: (334) 223-7135  
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